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Tuesday, 29 May 2012, 3 p.m.
New York

President:	Mr. Mehdiyev	(Azerbaijan)
Members:	China	Mr. Wang Min
	Colombia	Mr. Alzate
	France	Mrs. Le Fraper du Hellen
	Germany	Mr. Eick
	Guatemala	Mr. Briz Gutiérrez
	India	Mr. Hardeep Singh Puri
	Morocco	Mr. Loulichki
	Pakistan	Mr. Tarar
	Portugal	Mr. Moraes Cabral
	Russian Federation	Mr. Pankin
	South Africa	Mr. Sangqu
	Togo	Mr. Mbeou
	United Kingdom of Great Britain and Northern Ireland	Sir Mark Lyall Grant
	United States of America	Mrs. DiCarlo

Agenda

The situation in the Middle East

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The meeting was called to order at 3.05 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East

The President: Under rule 37 of the Council's provisional rules of procedure, I invite the representative of Yemen to participate in this meeting.

Under rule 39 of the Council's provisional rules of procedure, I invite Mr. Jamal Benomar, Special Adviser to the Secretary-General for Yemen, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I now give the floor to Mr. Benomar.

Mr. Benomar: The political transition in Yemen has recently entered its sixth month since the signing of the transition agreement on 23 November 2011 in Riyadh. The Yemeni sides have made much progress in implementing the agreement and resolution 2014 (2011). The formation of the Government of national unity, the beginning of the restructuring of the armed forces and the holding of presidential elections in February, with overwhelming public support, secured a peaceful transfer of power and marked the successful completion of the first phase of Yemen's transition. Those steps, combined with the recent launch of initial preparations for an all-inclusive national dialogue conference, indicate that Yemen's transition remains largely on track.

Since assuming office, President Abdrabuh Mansour Hadi Mansour has shown strong leadership and determination to lead the country through the transition. The President has continued to take important steps to advance the transition. His efforts have received the overwhelming support and goodwill of the Yemenis. In that context, he began the process of reform of the military and the security services by issuing several decrees announcing the appointment of commanders to new positions. The Military Affairs Committee established under the transition agreement has made considerable progress in demilitarizing urban areas despite many difficulties. Most checkpoints and battle positions in Sana'a and Taiz have been removed.

That said, the transition of Yemen is taking place against a backdrop of serious security concerns, an unprecedented humanitarian crisis and many unresolved conflicts. The timeline for the transition is very tight, and there is no time to lose. One of Yemen's key challenges is to assert the authority of the State in an environment that is dominated by a multitude of armed non-State actors competing for power. Al-Qaida, in particular, continues to pose a major threat. However, President Mansour's efforts to contain its advance in the south and elsewhere are beginning to bear fruit.

During my eleventh good offices mission to Yemen, from 18 to 30 April, new tensions arose as a result of President Mansour's decisions to replace the Commander of the Air Force, Mohammed Saleh Al-Ahmar, a half-brother of former President Saleh, and the Commander of the Presidential Guard, Tariq Saleh, former President Saleh's nephew. Their refusal to follow the President's instructions to move to other positions created a dangerous situation.

During the mission, I worked very closely with President Mansour and met former President Saleh and his son, Ahmed Ali, Commander of the Republican Guard, several times to help defuse the stand-off. Finally, we reached an agreement to allow for the handover to take place, and I personally witnessed the handover ceremony of both the Air Force Command and the Third Battalion.

However, I regret that, after my departure and as of today, open defiance and a stand-off continue to prevent the Colonel appointed by the President from leading the Third Battalion. It should be noted that the Third Battalion is one of the best equipped and resourced military units in Yemen and is located next to the presidential compound in the heart of the capital, Sana'a.

Such developments demonstrate that the underlying causes of tensions remain in place. Obstructionist moves to impede President Mansour's reorganization and control of the military and security forces could derail Yemen's fragile transition process and result in serious instability. All efforts must be made to keep the transition on track.

The planned national dialogue conference could be an essential step towards that end. If it is well prepared and gains legitimacy, in the eyes of all Yemeni constituencies, as a forum for shaping the framework of Yemen's future, it could become an important vehicle for democratic empowerment and for creating a positive

political dynamic in the country towards greater stability and security.

The main parameters for the national dialogue process are outlined in the transition agreement. On the basis of consultations with all national constituencies, we have identified a number of key principles in relation to the national dialogue that are accepted by all.

First, it must be fully inclusive, which means that all relevant segments of Yemeni society must be represented, including political parties, the Southern Movement, the Houthis and civil society representatives, including youth and women's groups. Secondly, the process must be genuinely participatory, which is to say that all those included in the process must have a say in its design and conduct, and must be assured that their views will be heard. Thirdly, the dialogue process must be transparent, meaning that key decisions on its timeline, membership, agenda and methods of work should be publicly shared. And finally, the dialogue has to generate results, meaning that its outcomes must be fully implemented.

On 6 May, President Mansour issued a decree appointing a contact committee for the national dialogue process. The committee is tasked with facilitating the formation of a preparatory committee for the national dialogue by 30 June. That committee's appointment is a welcome first step in launching the process on time. The main task of the preparatory committee will be to develop and agree on a concrete plan for conducting a national dialogue conference, including agreement on the format, membership criteria, participation and rules of procedure. The outcome of that conference will feed into the constitution-making process that is to conclude in late 2013, enabling general elections to take place in February 2014.

To be successful, the national dialogue process must be designed and driven by the Yemenis themselves. While that will require strong international support, its footprint should be light. Based on consultations with Yemeni actors, the United Nations will provide support in four key areas: first, with political facilitation to help stakeholders resolve disputes as they arise; secondly, with technical support to the secretariats of the preparatory committee and the national dialogue conference; thirdly, with capacity-building of key constituencies, including young people, women and internally displaced persons, to ensure that they can participate effectively in the Conference; and fourthly, with a public information and awareness campaign to ensure that the public is properly informed and included in the discussions taking place throughout the process.

My Office will lead United Nations efforts in support of the national dialogue, in close cooperation with the United Nations country team. To that end, a $2 million project initiative, to be funded from the United Nations Peacebuilding Fund, will cover support needs during the dialogue's preparatory phase. A small team of political advisers, who will work closely with the country team, has also been deployed to Sana'a to assist with the preparatory process. The success or failure of the national dialogue is likely to make or break Yemen's transition. Helping to ensure its success will therefore be the top United Nations priority in Yemen in the coming months, and we look forward to working closely with other international actors who can offer support for that process.

Yemen's security situation remains a source of major concern. Military restructuring and steps towards a unified command will take time and sustained effort. In the meantime, the Government's overall security capacity remains limited. In the North, the Houthis continue to assert their control in Sa'ada and parts of the governorates of Hajjah, Amran and Al-Jouf. In the southern province of Abyan, Yemeni security forces have stepped up their campaign against Al-Qaida in the Arabian Peninsula (AQAP) and Ansar Al-Sharia with air and navy support, with some recent success. Loder has reportedly been retaken by the Yemeni army, and significant inroads have been made in Jaar and Zinjibar, while Shukra remains under the control of Ansar Al-Sharia.

However, AQAP and Ansar Al-Sharia have extended their reach into areas not previously associated with their activities. Last week's terrorist bombing in Sana'a — which targeted a military parade, killing some 96 soldiers and wounding more than 300 others — and the recently foiled airliner bomb plot are reminders that AQAP remains the most lethal Al-Qaida affiliate, intent on striking both Western and regional targets. In areas under its control, Ansar Al-Sharia has established governance structures that provide social services and justice administration in a region that has long complained of discrimination and neglect by the central Government.

Separatist sentiments in the South have been on the rise. The Hirak, or Southern Movement, began in late 2006 as a rights-based movement demanding

equality, non-discrimination and a change in relations between North and South, all within a unitary State. That movement was met with repression, and a few years later groups within the Hirak began to advocate the South's independence.

Other security issues remain. Incidents of abduction, assassination and hostage-taking have increased in the past few weeks. On the streets of Sana'a and throughout the country, the presence of armed forces and militia remains a reality. Major weapons and other military capabilities can be redeployed in a matter of hours. Furthermore, oil and gas pipelines and electricity lines continue to be attacked frequently. Many of those attacks are politically motivated, while others are criminal acts committed in the context of the lawlessness that prevails in parts of the country. Such attacks and sabotage cost the State an average loss of revenue from the national budget of around $250 million a month, or $3 billion a year. That loss of revenue is a crime against the Yemeni people. It adds more misery to the poor and vulnerable groups. Yemen remains the poorest country in the Arab world, with a fiscal deficit of around $2 billion, or 7 per cent of gross domestic product.

The current scale of the humanitarian crisis in Yemen is unprecedented, and the figures are much bleaker than previously reported. Ten million people, almost half of the country's entire population, are food-insecure, with half of those — 5 million people — severely food-insecure and in need of immediate assistance. Almost one million children under the age of five suffer from malnutrition. Ongoing fighting has displaced more than half a million Yemenis within the country. Yemen is also hosting 219,000 refugees and continues to record a high influx.

To address the growing humanitarian needs in Yemen, the humanitarian response from the United Nations has been significantly expanded in 2012, but delivering assistance still poses a number of challenges. Key among them are capacity, security and funding. Both the Yemeni Government and the international community must prioritize this acute humanitarian crisis. The Yemen humanitarian response plan, for $455 million, is currently only 43 per cent funded. Since the original appeal, however, the number of people in acute humanitarian need has increased, and the financial requirements are being revised. Substantially scaled up support from the international donor community will be needed to meet those increased needs. Members of the Security Council should play a more active role in bringing the humanitarian crisis in Yemen to the world's attention.

A good development is that the international community is now committing to scaling up its support. The ministerial meeting of the Group of Friends of Yemen, hosted by the Kingdom of Saudi Arabia in Riyadh on 23 May, was aimed at providing a framework and momentum for supporting Yemen's political, economic and security reform plans in line with specific timelines.

Other urgent issues also demand our attention. The fate of those who were detained during the recent conflict by Government security forces and armed opposition groups has not been addressed, despite the best efforts of the Government of National Unity. Those who still hold individuals in custody must account for them, allow access to them and grant their rapid release. We are also mindful of the need to address the many injustices of the past. Those who committed human rights violations should be held to account.

I commend those in the Government who have worked hard to generate a credible law on transitional justice, a law that is the outcome of public consultations. Unfortunately, in a cabinet meeting today, ministers from the ex-ruling party, the General Peoples' Congress, have again failed to endorse the draft of that law. As stipulated in the transition agreement, the draft should now be submitted to the Prime Minister and the President for their decision.

In April, the Council of Ministers adopted a decision to set up an independent national human rights institution and requested that the Ministry of Human Rights follow up the decision and prepare the necessary draft legislation. This is a positive step and will require considerable support from the United Nations and international donors.

President Mansour and the Government of national unity, led by Prime Minister Basendwah, are steadily making progress in moving the country forward and realizing the young people's aspirations to change. They deserve the Council's continuing support. While demonstrations continue to take place, youth, civil society, women's groups and emerging political parties have shifted their focus from contestation to preparatory efforts and initiatives for the national dialogue process and participation in the political process.

In conclusion, let me reiterate that, while Yemen's transition remains largely on track, it cannot take place under the shadow of continued military threats. If legitimate governance is to take hold, the Yemeni people must be able to see that those who hold legitimate authority are in a position to exercise their powers effectively, and those who encourage sabotage and obstruction from behind the scenes must know that they are being observed, that they will be held accountable and that international patience is starting to wear thin.

Resolution 2014 (2011) is clear in this regard in that it commits all Yemeni sides to play a full and constructive role in implementing the transition agreement. Those who do not live up to this commitment should be prepared to be held to account by the Yemeni people and the Security Council.

The Secretary-General remains concerned about efforts to undermine Yemen's transition. He has asked me to continue to exercise his good offices, working closely with members of the Security Council, the Gulf Cooperation Council and other international partners to facilitate the effective implementation of Yemen's transition agreement as a model for peaceful change that could offer valuable lessons for other situations in the region.

The President: I thank Mr. Benomar for his briefing.

I now give the floor to the representative of Yemen.

Mr. Al-Sallal (Yemen) (*spoke in Arabic*): Allow me at the outset to congratulate you, Mr. President, and your delegation on your successful conduct of the work of the Security Council this month. I also thank and congratulate Ambassador Susan Rice of the United States of America for her successful presidency last month. We would further like to express our appreciation for the continued and tangible efforts and good offices of Secretary-General Ban Ki-moon and his Special Adviser, Mr. Jamal Benomar, and his team aimed at leading the political process in my country to a successful outcome.

Yemen has witnessed several positive developments since the signing of the Gulf Cooperation Council initiative and its implementation mechanism by partners in the political process. In this, the efforts of the President of my country, Mr. Abdrabuh Mansour Hadi Mansour, and the national unity Government must be noted.

I also draw the Council's attention to several measures taken by my country with a view to leading the transition in my country to a successful outcome. First, measures have been taken to establish the environment necessary to begin the national dialogue between the various partners in the political process in Yemen. The President of the Republic issued Decision 13 on 6 May 2012 establishing a contact committee to expedite the establishment of the preparatory committee for the national dialogue conference by 30 June 2012, and has established seven working groups to continue outreach activities with the parties.

The Government is considering a law on transitional justice and national reconciliation with a view to reaffirming the political transition in Yemen on the basis of forgiveness, tolerance, the rights of the victims, individual, collective and national reconciliation, and the renunciation of all forms of violence and retaliation. It would also seek to prevent the recurrence of human rights violations in the future and establish a modern, civil State based on democracy, the rule of law and human rights. The Government will submit this project, when its consideration is completed, to Parliament with a view to its adoption in the form of a presidential decision.

The Government has also established a ministerial committee to prepare a draft law for the establishment of an independent human rights agency. In the wake of the national dialogue conference, a constitutional committee will be established to draft a new constitution that will determine the political shape and system of the country, to be put to a referendum by the end of the transitional period and the conduct of parliamentary and presidential elections.

The military commission has continued to discharge its duties in the maintenance of peace and security in Yemen, to remove all military roadblocks, and to restructure the armed forces and the security forces. The President of the Republic has issued many important decisions effecting transfers and changes in the security and military leadership.

However, and as mentioned by Mr. Benomar, Yemen still faces many difficult challenges. Al-Qaida in the Arabian Peninsula has taken advantage of the unstable political situation in the country over the past year and has extended its control to parts of the country, attacked and plundered many Government agencies, and killed numerous innocent people. Following the presidential elections and the establishment of the national unity Government, the security and armed forces focused their military operations against the Al-Qaida terrorist

organization, which threatens Yemen and its stability and has also pledged several times to extend its operations to the sea, threatening international peace and security. Government forces have tightened the noose on Al-Qaida in the Abyan governorate, eliminated many terrorists, and also carried out numerous pre-emptive strikes against the leaders who have taken refuge in the mountains.

Recently, Al-Qaida committed a horrible act of terrorism, killing 100 people and injuring over 300 of our best youth in the national security forces as they trained for the celebration of Yemeni unification. I take this opportunity to extend our sincere condolences to the families of the martyrs and wish a speedy recovery to the injured. I would like to thank all the Heads of State, the Secretary-General, and the President and members of the Security Council for their condemnation of that wanton act.

I reiterate that the threat of terrorism and bias in Yemen cannot addressed solely by military efforts. These efforts must extend to the intellectual, cultural, development and rehabilitation activities to be conducted by the Government, with the necessary international support at the bilateral and multilateral levels, and further assistance in the implementation of the recommendations of the Counter-Terrorism Committee Executive Directorate.

There are now 500,000 internally displaced persons in my country. While some $477 million have been pledged, only $63 million have been received, whereas meeting the needs of so many displaced is no easy task. Assistant Secretary-General for Humanitarian Affairs Catherine Bragg, who visited Yemen recently, has stated that the deteriorating humanitarian situation in Yemen is not only a result of the conflicts within and outside the country, but is foremost a humanitarian problem that requires urgent attention. The World Food Programme has conducted a survey in Yemen and has warned that levels of malnutrition have reached alarming levels. Three million people are suffering extreme malnutrition; 5 million — 22 per cent of the entire population — suffer from one form of malnutrition or another; and half the population of the country has experienced extreme hunger.

According to statistics provided by the Office for the Coordination of Humanitarian Affairs (OCHA), 44.5 per cent of the population — that is, 10 million people — suffers from food insecurity in general, and 22 per cent — 5 million citizens — suffers from acute malnutrition. There are 465,000 displaced people, 169,855 refugees, 140,000 returnees, 116,830 war-affected people and 12,000 forcibly displaced people, in addition to the almost 3 million people who lack potable water and proper sanitation. We appeal to all Member States to provide Yemen with the support necessary for it to be able to meet the needs of all of the displaced people and refugees.

In spite of all our internal problems, we have hosted more than 1 million refugees from neighbouring countries. We had attached great hopes to the most recent appeal by OCHA; however, it has not generated the reaction that we had hoped for. Alarms have been sounded before the Council with regard to the myriad problems resulting from such a high number of refugees, including from drug and weapons smugglers as well as terrorists coming from the Horn of Africa and other neighbouring and European countries.

Since the winds of change blew through Yemen last year, many people have lost their jobs and many companies have had to close their doors. That has led to an alarming increase in the unemployment and poverty rates, and many heads of household are unable to provide for their families. The general economic deterioration poses a tremendous obstacle to the Yemeni Government, particularly given the decrease in the gross domestic product growth rate and the state of paralysis of various economic activities as a result of the political and security situation in the country, which is reflected in every aspect of life in Yemen.

In conclusion, at the meeting of the Friends of Yemen held on 23 May, His Royal Highness Prince Saud Al-Faisal, Minister for Foreign Affairs of the Kingdom of Saudi Arabia, stated that Yemen is an ancient civilization with a long history and that it is not a source of discouragement or disappointment. Yemenis are capable and responsible enough to support the efforts necessary to ensure peace, security and stability in the country. Here I would stress the different projects, programmes and development plans aimed at providing support to the Yemeni people.

We would like to thank our brothers in Saudi Arabia, in particular His Majesty the Custodian of the Two Holy Mosques, King Abdullah Bin Abdulaziz Al-Saud, for their support and their hospitality. We would also like to thank the United Kingdom of Great Britain and

Northern Ireland for all its support and for hosting the donors' conference next June.

The President: I now invite Council members to informal consultations to continue our discussion on the subject.

The meeting rose at 3.35 p.m.